

POLICY OF EQUAL OPPORTUNITY CELL (EOC)

Prepared by

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(CHARUSAT), CHANGA
DISTRICT: ANAND, GUJARAT, INDIA**

1. Preamble

CHARUSAT has been established in rural location with objective of providing growth opportunities to rural community -one as the major disadvantaged compared to urban sections. CHARUSAT believes in inclusive growth and makes continuous efforts to provide opportunities to all disadvantaged sections of the University. Aspiring to become a world class University, CHARUSAT seeks to be the torch bearer of executing the principle of equal opportunity to one and all; irrespective of gender, ability, socio-economic background, caste, religion or language.

India is a country with lot of diversity and inequalities. Acknowledging diversity enables differences to be recognized and valued in the learning environment and in the workplace. Hence, it is important to have proper policies and institutional mechanisms to promote inclusive growth. With this aim, it is proposed to establish an Equal Opportunity Cell (EOC) for creative interaction and promotion of equality among all the stakeholders of the University; mainly the students and employees of University. It is an effort to ensure that all the stakeholders have a fair chance to avail opportunities being created by University. These opportunities can be of pursuing education and research, seeking employment and business opportunities and participation in University activities.

The University is committed to the principle of equality in education, employment and welfare for the employee and students of the University, and will continue to develop equal opportunity and equity practices and programs compatible with its overall goals and responsibilities. The University is equally committed to providing a safe environment that is free from risks to health and safety. These commitments are consistent with the principles of justice and the pursuit of excellence, and conform to the spirit and intent of equal opportunity, anti-discrimination and occupational health and safety legislation. The University aims to provide employee and students with an educational and employment environment that provides equal opportunity and is free from unlawful discrimination, discriminatory harassment, sexual harassment, bullying and victimization.

This policy attunes with the values of the University, and includes:

- advocating and upholding fundamental human rights, in particular the principle of equal opportunity, on a sustainable basis for a human civilization and encouraging all employee and students to understand and accept their moral responsibilities as educated, informed, tolerant citizens of their own societies and of the wider international community;

- sustaining a diverse, harmonious scholarly community committed to equity and merit as fundamental principles encouraging and assisting employee and students to realize their full potential;
- maintaining a safe, rewarding, environmentally sustainable learning and working environment for the University community.

2. Scope

EOC works for affirmative action for all the employees and students of the CHARUSAT.

3. Objectives

The EOC oversees the effective implementation of the principle of equal opportunities to all.

The main objectives of the cell are mentioned below:

- (1) To ensure equity and equal opportunity to the community at large in the University and bring about social inclusion.
- (2) To recommend and oversee the implementation of policies and programmes for the disadvantaged groups.
- (3) To recommend measures to enhance the diversity among the students and employees and at the same time foster the principle of equal opportunity.
- (4) To create congenial atmosphere for academic interaction and for the growth of healthy interpersonal relationships among the students coming from various social backgrounds.
- (5) To make efforts to sensitize the academic community regarding the problems associated with social exclusion as well as aspirations of the marginalized communities.
- (6) To look into the grievances of the discrimination of any kind and suggest amicable solutions.
- (7) To disseminate the information related to schemes and programmes, notifications/memoranda, office orders of the Government, or other related agencies/organizations issued from time to time for the welfare of the socially weaker section.
- (8) To prepare barrier free formalities/procedures for admission/ registration of students belonging to the disadvantaged groups of society.
- (9) To establish coordination with the Government and other agencies/organizations to mobilize academic and financial resources to provide assistance to students of the disadvantaged groups.
- (10) To coordinate and work with other statutory bodies of the University for the benefit of disadvantaged groups.

(11) To bring awareness about problems faced by disadvantaged groups and methods of empowerment.

4. Definitions

“Disadvantaged group” means a group of persons who find themselves disadvantaged or lacking in opportunities for reasons beyond their control or suffer from impaired ability to make good existing opportunities to access rights and entitlements available under law or schemes of the government.

“Equal opportunity” means treating people as individuals with different skills and abilities, without making judgements based on stereotypes, or on characteristics as outlined in anti-discrimination legislation. These characteristics include sex, age, race, sexuality, disability, pregnancy, or marital status.

“Discrimination” means any distinction, exclusion or restriction made on the basis of sex, caste, language, religion, disability, descent, place of birth, residence, race or any other parameter which results in less favourable treatment which is unjustified or has the effect of impairing or nullifying the recognition, enjoyment or exercise of equality of opportunity, but does not include affirmative action for fulfillment of constitutional obligations towards Scheduled Castes, Scheduled Tribes, backward classes, women and children.

“Diversity” means differences between individuals or groups of people in age, cultural background, disability, ethnicity, family responsibilities, gender, language, marital status, religious belief and sexual orientation; diversity may also include other ways in which people are different, such as learning, life experience, work experience and socio-economic background..

“Employee” means any person employed by the University.

“Parties” means complainant or victim and respondent of the University.

“Student” means a person enrolled in, or seeking to be enrolled in one or more programs offered by University.

“Workplace” means any place where a person attends for the purpose of carrying out any functions in relation to his or her employment. In the University context, this includes all work-related activities at campus as well as off-campus if the activities are directly related to an employee's employment.

“Victimisation” means any form of detriment directed at a person for alleging, making or participating in, supporting or resolving a complaint of discrimination, sexual harassment or victimisation; or directed at a person associated with a person who alleges, makes or participates in, supports or resolves a complaint of discrimination, sexual harassment or victimization.

“Bullying” is repeated, unreasonable behaviour directed toward an employee or student, or a group of employee or students by employee/s or student/s that creates a risk to health and safety.

"Person with disability" means a person suffering from any of the following disability:

- **‘Locomotor Disability’** means disability of the bones, joints or muscles leading to substantial restriction of the movement of the limbs
- **‘Cerebral Palsy’** means a group of non-progressive conditions of a person characterised by abnormal motor control posture resulting from brain insult or injuries occurring in the pre-natal, peri-natal or infant period of development;
- **‘Leprosy cured person’** means any person who has been cured of leprosy but is suffering from
 - loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity;
 - manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity;
 - extreme physical deformity as well as advanced age which prevents him from undertaking any gainful occupation, and the expression "leprosy cured" shall be construed accordingly;
- **‘Blindness’** refers to a condition where a person suffers from any of the following conditions, namely:-
 - total absence of sight; or
 - visual acuity not exceeding 6/60 or 20/200 (snellen) in the better eye with correcting lenses; or
 - Limitation of the field of vision subtending an angle of 20 degree or worse;

- **‘Person with low vision’** means a person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potentially capable of using vision for the planning or execution of a task with appropriate assistive device;
- **‘Hearing impairment’** means loss of sixty decibels or more in the better ear in the conversational range of frequencies;
- **‘Mental illness’** means any mental disorder other than mental retardation;
- **‘Mental retardation’** means a condition of arrested or incomplete development of mind of a person which is specially characterised by sub-normality of intelligence;

5. Implementation or Operational aspects

The University will take reasonable and proportionate measures to eliminate discrimination, sexual harassment, bullying or victimization as far as possible. Employee and students bound by this policy must comply with all rules and regulations envisaged in the policy. In particular, employee and students must not engage in behaviour that constitutes bullying/victimisation/discrimination towards other employee or students, including physical, visual, verbal and non-verbal behaviour. Failure to do so may lead to the individual being held legally responsible and serious penalties apply to those who breach the policy.

5.1 Advisory Committee

Advisory Committee consists of following members:

1. Provost as Chairperson
2. Registrar
3. Coordinator/Convener
4. Estate officer
5. Librarian
6. Legal expert

The advisory committee reviews the effective implementation of the principle of equal opportunities to all; irrespective of gender, ability, socio-economic background, caste, religion or language.

The Committee should meet at least once in six months and actions taken on decisions are to be reviewed.

5.2 Working Committee

Working Committee consists of following members:

1. Coordinator/Convener
2. Representative (SC)
3. Representative (ST)
4. Representative (OBC)
5. Representative (Religious and language minorities)
6. Representative (General)
7. Representative (Person with Disability)

The Coordinator/Convener of EOC of the University shall:

- (i) oversee/monitor Seminars/ symposia/ workshops/ conferences/ exhibitions, etc. from time-to-time on issues of contemporary significance for empowering, educationally and culturally, students belonging to the marginalized sections.
- (ii) be responsible for the effective functioning of EOC dealing with the problems of different socially disadvantaged groups.
- (iii) convene the meeting of all the members of the committee from time to time as required and meeting with coordinators of other Committees/Programmes dealing with social issues such as Cell for Prevention of Sexual Harassment (CPSH), National Service Schemes (NSS) etc. to have alignment of their activities with EOC.
- (iv) shall submit the progress/review report to the Provost at regular interval.
- (v) maintain grievances register about discrimination/victimisation/bullying.
- (vi) publish progress achieved by the Cell in the Annual Report of the University.

5.3 Support to disadvantaged groups

EOC is expected to facilitate for providing following facilities to aforesaid groups:

- Waiver of fees as per University rules and Government rules
- Braille Library
- Audio- book Resource Centre (ABRC)
- Computer Lab equipped with best assistive software and devices like Screen Reading Software, Screen Magnification Software, OCR Software Braille Display and Voice Recognition Software
- Free accessible transport facility
- Assistive Devices for Persons with Disabilities i.e. Braille Reader/ Embosser, pocket players, accessible computers and reading materials, Wheelchairs, etc.

- Examination writing policy for the conduct of free, fair and hassle free exams.
- Writers Bank
- E-learning Support Systems like Talking Books and E- Text books.
- Facility of conversion of reading material in accessible formats
- Signers and carers for persons with hearing impairment and locomotive impairment respectively.
- DVDs and Books on Disability issues
- Orientation Workshops for Persons with Disabilities
- Blind Sticks for Visually Impaired Students
- Provision of Medical Health check-up
- Placements
- Provision of a lift, special ramps, disabled-friendly toilets and parking space reserved for the persons with disabilities persons
- Counseling Sessions
- Capacity building classes

5.4 Expectations

To ensure and promote equal opportunity to the disadvantaged groups, EOC is expected to carry out following activities:

- Sensitization and awareness programmes on a wide array of subjects ranging from Gender Issues, Human Rights, and Inclusion of Marginalized Groups to Peace and Conflict.
- Health awareness and medical camps for students, employee and resident community of nearby area (on reproductive health and AIDS awareness, cancer awareness programs, Nutrition and hygiene awareness, Eye check- ups, Digestive Health and Lifestyle diseases, etc.).
- Workshop on Women Empowerment for students and employee of University.
- National workshops, seminars or conferences on current and relevant issues by availing special funds from UGC, ICSSR, National Human rights commission, National Commission for women, etc.
- Workshops on Legal Education and Equality, Awareness about Legal redressal and conflict resolution.
- Special Lecture series by Eminent Personalities and Academicians on subjects like Gender issues, Equality and Discrimination, Differently abled and their problems, etc.
- Coaching and Tuition classes for deprived children and youth by student Volunteers.
- A special academic Help Centre for students of University, who need extra help with their syllabi and studies; which can be run by outstanding student volunteers.
- Socio-Cultural interactive activities for the disadvantaged group.
- Computer literacy for the students of University as well as the underprivileged and the unemployed youth and children of the locality.

- Basic literacy and education through student volunteers for the poor children of the locality under “Joy of Giving” Programme.
- Training on Hospitality management to employee of University.
- Counselling on personal and psychological problems.
- Enhancing life skills in students and employee of University

5.5 Operational/ Complaint Mechanism or Procedures

The EOC has to fulfill its mandate of maintaining social harmony among various sections of the University. Whenever any case of social discrimination is brought before the EOC, it is thoroughly investigated and examined and suitable action is recommended. Addressing of issues related to any social discrimination faced by students or employee at any level is amongst the principal objectives of the EOC.

The University encourages any person who feels he or she has been discriminated against or harassed to promptly report the incident to the EOC. Any member of the University who observes discrimination or harassment of another person on campus, in connection with a University program or activity, or in a manner that creates a hostile environment for students or employees of University should report the conduct to the EOC. No student or employee of University should assume that an official of the University knows about a particular discriminatory or harassing situation.

An employee or student who believes that he or she has experienced unlawful discrimination, discriminatory harassment, bullying or victimisation may make a complaint. Discrimination, discriminatory harassment, sexual harassment, bullying or victimisation may be regarded as serious misconduct or misconduct (employee) or general misconduct (students) and may result in disciplinary action.

5.5.1 Reporting

Any administrator, faculty member, or other person in a position of authority who receives a complaint of discrimination or harassment must fully report the information or complaint to the EOC promptly. A complaint or report of discrimination or harassment made to any administrator, faculty member or other person in a position of authority generally obligates the University to investigate

the incident and take appropriate steps to address the situation. The responsibility to investigate rests with the EOC and not with the employee who receives the complaint or report. Failure to promptly report may constitute a violation of the EOC Policy.

5.6 Violation of Policy

5.6.1 Standard of Proof

Investigative findings under this Policy will be made using the preponderance of the evidence standard (i.e., “more likely than not”). This standard requires that the information supporting an alleged violation be more convincing than the information in opposition to it.

5.6.2 Interim Protective Measures

The Provost or his/her designee or EOC coordinator may impose interim protective measures before the final outcome of an investigation if failure to take the interim measures would constitute a threat to the safety and well-being of the complainant or other employees or students of the University. Imposing interim protective measures does not indicate that a violation of this Policy has occurred.

These interim measures may include but are not limited to:

- Issuance of a “no contact” directive;
- Restrictions or bars to entering certain University property;
- Changes to academic or employment arrangements, schedules or supervision;
- Interim suspension; and
- Other measures designed to promote the safety and well-being of the parties.

In imposing interim measures, the EOC coordinator will attempt to minimize the burden on both the alleged victim and respondent. Any party may appeal interim measures in writing to the Provost within two working days of the party’s receipt of the notification of the restriction. All interim protective measures will remain in effect during the appeal and thereafter unless modified by the EOC coordinator or Provost or overturned by the Provost.

5.6.3 Initiating an Investigation

As part of any investigative process, the investigator will:

- Provide a copy of this Policy to the complainant;
- Determine whether the complaint is one that falls under the Policy or not;
- Inform the respondent of the complaint brought against him/her and provide a copy of this Policy.

5.6.4 Informal Process

The informal process is an opportunity to bring resolution to a complaint through awareness, education, and/or a facilitated discussion. Informal resolution may be appropriate if the complainant, respondent and EOC coordinator or his or her designee all agree.

During an informal process, fact-finding occurs to the extent necessary to resolve the conflict and protect the interest of the parties and the University, but the EOC coordinator or his or her designee does not make a determination of whether the Policy has been violated. The complainant or respondent always has the option to end the informal process and request a formal process.

Informal resolutions may include, but are not limited to:

- Training;
- Changes to work or academic arrangements;
- Informal discussion with person whose conduct, if not stopped, could rise to the level of discrimination or harassment;
- Advisory discussion with the respondent's professor or advisor;
- "No contact" directive to one or more of the parties; and
- Suspension.

5.6.5 Formal Process

All complaints that are not resolved through the informal process are resolved through a formal process involving a full investigation conducted by the EOC coordinator or his/her designees.

As part of the formal process, the investigator will:

- Inform complainant, alleged victim, and respondent of their right to be interviewed and provide evidence;
- Obtain information and evidence, including the identity of any witnesses, from the complainant and the respondent;
- Attempt to obtain information from the identified witnesses;
- Collect and maintain appropriate documentation;
- Disclose appropriate information to others only on a need-to-know basis consistent with state and central law; and
- Keep the appropriate administrators/faculty informed of the status of the complaint and investigation, and seek input from them as appropriate when implementing any resolution or discipline.

Interviews with the investigator constitute the hearing.

5.6.5.1 Resolution

The amount of time needed to conduct an investigation will depend in part on the nature of the allegation(s) and the evidence to be investigated (e.g., the scope of the allegations, the time period and number of events implicated by or relevant to the complaint, the number or availability of witnesses involved and the volume of documents). Within 60 working days of receipt of the complaint, the EOC coordinator or his/her designee will provide notice of the outcome of the investigation or will advise the parties of the additional estimated amount of time needed for the investigation. Upon conclusion, EOC coordinator or his/her designee will notify the complainant and respondent, in writing, of the results of the investigation. The written decision will be disclosed only to the complainant, respondent, and University officials as appropriate to determine and enforce any remedial actions, discipline or sanctions, and to prepare for any appeals. The EOC coordinator will follow up as appropriate to ensure that remedial action is effective. Complainants are encouraged to report any reoccurrences of conduct that were found to violate this Policy, as well as to report any retaliation for the complaint or related investigation. Remedial and preventative measures may be imposed by the EOC coordinator even in the absence of a violation of this Policy if conduct is found to occur that may, if not addressed, rise to the level of a violation. Any unprofessional conduct or inappropriate behavior found during the course of the investigation that is not covered by the Policy will be addressed with the respective department or Human Resources department.

5.6.5.2 Remedies

Where discrimination or harassment in violation of this Policy is determined to have occurred, the University will take timely action to remedy the effects. Potential remedies for the complainant or victim include, but are not limited to:

- Extensions of time to re-do or complete academic work without an academic or financial penalty;
- Changes to academic or employment arrangements, schedules or supervision that minimize burden on the complainant or victim;
- Referral to medical, counseling, and academic support services;
- Training/re-training on this Policy and other relevant topics for individuals or groups implicated in the discrimination or harassment; and
- Other measures designed to repair negative impact of discrimination or harassment.

5.6.5.3 Sanctions

If a violation of this Policy is found, the level of disciplinary action and type or scope of sanctions will depend on the severity and nature of the discrimination or harassment, the weight of the evidence, and the need to maintain a safe and respectful environment. Available sanctions include, but are not limited to:

- Mandatory training or counseling;
- “No Contact” directive;
- Restriction or bar to entering certain University property or attending University events;
- Written warning;
- Transcript notation;
- Probation;
- Suspension; and
- Expulsion or termination.

5.6.5.4 Right to Appeal

All parties shall have the right to appeal the outcome of the formal process and decision to the University Provost pursuant to this Policy. The Provost must receive a written appeal within ten (10) working days after the receipt of the written notification of the decision being appealed. The Provost or his/her designee may receive additional information if he/she believes such information would aid in the appeal.

The Provost may overturn or modify a finding or sanction if, in his or her reasonable discretion, he or she finds any of the following factors had a material impact on the finding or sanction:

- Material failure to comply with applicable procedures in EOC Policy or to conduct a reasonably thorough investigation;
- Partiality, bias, or conflict of interest by the EOC Coordinator or his/her designee;
- Findings, if not overturned or modified, would result in a substantial injustice to a party or parties, including a substantially inadequate or excessive sanction; or
- New evidence that was not reasonably available to be presented by the parties during the course of the investigation.

A decision by the Provost or his/her designee will be made within a reasonable time and the EOC Coordinator, the complainant, and the respondent will be notified in writing of the decision on the appeal. During the time of appeal and review, disciplinary action or sanction or remedial/preventative measures, if any, taken as a result of the original complaint may be implemented and enforced. Upon the request of the appealing party, the Provost may, in his or her

discretion, temporarily suspend the imposition of the disciplinary action, sanction, or remedial/preventative measures while the appeal is pending.

If an appeal is not filed within the appeal period, the findings become final and are not subject to any review.

6. Review and Monitoring of Policy

The University may make changes to this policy and procedures from time to time to improve the effectiveness of its operation.

In this regard, any employee or student who wishes to make any comments about this Policy may forward their suggestions to the EOC.
